

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

| TITLE OF CASE  | ATTORNEYS   |
|--|---|
| <p align="center"><b>THE UNITED STATES</b></p> <p align="center">vs.</p> <p align="center">Michael Lynn Kirkland, (26)</p> <p align="center">Defendant.</p> <p>Deft. on bond,<br/>address is:<br/>1106 Maple Leaf Dr.<br/>Apt. "B"<br/>Broken Arrow, OK 74012<br/>(no phone, but can lve. message<br/>at 251-5127)</p> | <p><i>For U. S.:</i></p> <p>Ben F. Baker<br/>Asst. U.S. Attorney</p> <p><i>For Defendant:</i></p> <p>James H. Heslett, Appt.<br/>Fourth National Bldg.<br/>Tulsa, OK 74103<br/>918-587-1544<br/><i>587-1511</i></p> |

| STATISTICAL RECORD                                      | COSTS                               | DATE | NAME OR RECEIPT NO. | REC. | DISB. |
|---|-------------------------------------|------|---------------------|------|-------|
| J.S. 2 mailed <i>7-1-75</i>                             | Clerk                               |      |                     |      |       |
| J.S. 3 mailed <i>11-1-75</i>                            | Marshal                             |      |                     |      |       |
| Violation Possession of firearm after felony conviction | Docket fee                          |      |                     |      |       |
| Title 18  |                                     |      |                     |      |       |
| Sec. 1202(a)(1)   |                                     |      |                     |      |       |
| <i>9-29-75</i><br>ct. 2<br>ditto.                       | 2 Counts<br>(\$10,000 and/or 2 yrs) |      |                     |      |       |

| DATE    | PROCEEDINGS  |
|---------|--|
| 6-17-75 | Indictment, filed in open court. v   |
| 6-17-75 | Record vote of the Grand Jury, filed in open court. v  |
| 6-19-75 | Appearance Bond of Deft. Kirkland in amount of \$5000, personal, filed w/conditions of release. (  |
| 6-19-75 | MO: Ordered by the Court that this case is set for Arraignment on 6-27-75 at 10:00 a.m. (HDC-J)v -notices mld.   |
| 6-27-75 | Case called for arraignment. Parties present & rep. by counsel of record. Def. ack. receipt of indictment, advised of charge and is arraigned. Def. enters plea of NOT GUILTY as to Cts. 1 & 2. Def. given to 7/10/75 to file motions; govt. 5 days to respond. Case set for jury trial for 8/5/75. Def. to stand on present bond. (HDC-J)rm |
| 7-28-75 | Deft's Motion for Continuance, filed. mm   |
| 7-29-75 | Order, filed, sustaining def. mo/continuance and passing case to later date for jury trial. (HDC-J)rm-copies   |
| 8-22-75 | Case set for jury trial 9-29-75 at 10:00 a.m. (HDC-J)hm  |
| 9-29-75 | Case called for jury trial. Deft. present and represented; govt.   |

| DATE     | PROCEEDINGS   |
|----------|---|
| 9-29-75  | <p>represented. Deft. changes plea from Not Guilty to GUILTY as to Ct. 1. Deft. advised of charge. Waiver of jury signed and filed in open court. Indictment read. Deft. adjudged GUILTY as charged in Ct. 1. Upon govt's motion, Ct. 2 is dismissed. Sentence set 10-28-75 at 9:30 a.m. Order for dismissal of Ct. 2 signed in open Court. Deft. allowed to remain on present bond. (HDC-J)hm</p> <p>Order for dismissal of Ct. 2, filed in open court. (HDC-J)hm</p>  |
| 10-28-75 | <p>Case called for sentence. Deft. present and represented; govt. represented. Deft. &amp; counsel asked if they care to say anything before sentence is pronounced.</p> <p>Judgment and Sentence - <u>Michael Lynn Kirkland</u> (Age 27)</p> <p>Imp. of sentence suspended &amp; deft. placed on probation for a period of Three (3) Years from this date as to Count 1.</p> <p>In addition to the usual conditions of probation, the deft. is to obtain employment and support his family. (HDC-J)hm</p> <p>10-28-75 Judgment and probation order, filed and entered. (HDC-J)hm</p> <p>10-28-75 Two c/c of J&amp;PO delivered to Prob. office. hm</p>                     |
| 5-4-78   | Application and Order for issuance of bench warrant, filed. (HDC-J)v w/i  |
| 6-1      | Waiver of prel. hrg. before U.S. Mag., filed. hm  |
| 6-1      | MO: CASE SET FOR HRG. ON REVOCATION OF PROBATION 6-7-78 at 3:00 P.M. (HDC-J)hm (notices mailed)   |
| 6-2      | Pltf. pet. for WHCAP, fld. writ issued, O to J. ho  |
| 6-5      | Order granting WHCAP, filed. (HDC-J)ph (re: 6-7-78 revocation) cps mld  |
| 6-7      | <p>Case called for hrg. on revocation of probation. Deft. present &amp; rep.; govt. rep. Report given by Rod Baker, Prob. officer. Deft. admits he has violated conditions of prob., &amp; based on statements by deft. &amp; govt. counsel, Court finds no evid. hrg. is necessary &amp; revokes probation. Court proceeds to sentence deft. Deft. &amp; counsel asked if they care to say anything before sent. is pronounced.</p> <p>Judgment and Sentence - MICHAEL LYNN KIRKLAND (29)</p> <p>Atty. Gen. - Eighteen (18) Months, to run concurrent w/sentence imposed May 30, 1978, by State of Oklahoma.</p> <p>Deft. remanded to cust. of U.S. Marshal. (HDC-J)hm</p> |
| 6-7      | Order revoking probation, filed and entered. (HDC-J)hm  |
| 6-7      | Two c/c of order delivered to U.S. Marshal. hm  |
| 6-9      | Marshal's ret. on W/A of probationer. Deft. appeared before Ct. on 6/7/78 and sentenced, filed. rm  |
| 6-9      | Marshal's ret. on WHCAP, retd. & filed. Deft. taken into custody on 6/7/78 at TC Jail, transported to USDC and retd. to TCJ on 6/7/78. rm   |
| 4-23-79  | USM service of Order of Revocation, ret. & fld: deft. Kirkland transported from McAlester, Ok. to Muskogee on 4-16-79, and from Muskogee to Springfield, Mo. on 4-19-79. g  |

UNITED STATES MAGISTRATE  
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Claudine S. Barnes U. S. Courthouse, Tulsa, Oklahoma  
(Name of magistrate) (Address)

75-CR-95

MAGISTRATE'S  
DOCKET NO. 75 CASE No. 116M  
THE UNITED STATES  
vs.

MICHAEL LYNN KIRKLAND

Complaint filed on June 5, 1974, by J. William Buford  
Official title Special Agent, a.t.f., charging violation of  
United States Code, Title 18, Section 1202(a)(1) March 11  
1974, at Tulsa, Okla. in the  
division of the Northern district of Oklahoma  
as follows: Did, having been convicted of a felony in  
U. S. District Court for the Northern District of  
Oklahoma, knowingly receive in commerce and affecting  
commerce, a firearm, that is: a Ruber model 10/22  
.22 caliber semi-automatic rifle,

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date June 5, 1975 Warrant/Summons for Michael Lynn Kirkland  
(Name of defendant)  
to (name and title of officer) U. S. Marshals Service or any authorized officer  
Substance of return Arrested at Tulsa, Oklahoma on June 6, 1975

Date Warrant/Summons for  
(Name of defendant)  
to (name and title of officer)  
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date June 6, 1975 Arrested by J. William Buford { on warrant of Claudine S. Barnes  
(Name of issuing officer)

Appearances { for United States Ben F. Baker (Name) Tulsa, Oklahoma (Address)  
for accused None (Name) (Address)

Proceedings taken Defendant appeared before the undersigned Magistrate and was advised

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"  
of his right to counsel; defendant waived counsel for this hearing and upon exe-

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
cution of Financial Affidavit, James H. Heslet was appointed to represent him at

if that is the fact; any adjournments taken, etc.  
all future proceedings. Defendant was informed of the charges filed against him

as contained in Complaint, of his right to bail and right to a preliminary hearing.

Bail was set at \$5,000 cash or surety. Preliminary hearing was set for June 13,

1975 at 2 P.M. JUNE 10, 1975: Bail reduced to \$5,000 personal; defendant executed  
personal bond and released from custody.

Outcome Defendant remanded to the custody of the U. S. Marshal in lieu of bond.

Bail fixed June 6, 1975 Amount, \$5,000.00 Bonded June 10, 1975, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

{ United States (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
Accused (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken \_\_\_\_\_  
JUNE 13, 1975: On request of counsel for defendant and concurrence of  
Asst. U. S. Attorney, preliminary hearing passed to June 19, 1975 at  
2 P.M.

INDICTED BY THE GRAND JURY ON JUNE 17, 1975.

Outcome \_\_\_\_\_  
Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
and \_\_\_\_\_ Address \_\_\_\_\_  
who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_  
Certified to be a correct transcript.  
Made this 18th day of June \_\_\_\_\_, 19 75  
Transmitted to Clerk of United States District Court for the \_\_\_\_\_ Northern  
district of Oklahoma \_\_\_\_\_, June 18 \_\_\_\_\_, 19 75

*Claudia S. Barnes*

United States Magistrate.